



ADMINISTRATIVE OFFICE
OF THE COURTS

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FACT SHEET

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Tribal Projects Unit

The Administrative Office of the Courts (AOC) has established, as part of the Center for Families Children & the Courts, a Tribal Projects Unit. The purpose of this unit is to serve as liaison and to assist the judicial branch with the development of policies, positions, and programs to ensure the highest quality of justice and service for California's Native American communities in all cases, with a focus on cases relating to the Indian Child Welfare Act and domestic violence, dating violence, sexual assault and stalking (family violence).

Goals

The goals of the Tribal Projects Unit are to:

1. Conduct community outreach to California's Native American citizens who reside on reservations or rancherias and in urban communities to provide information about the judicial branch—the state courts and court-connected services;
2. Collaborate with tribes in California and California's Native American communities, organizations, and service providers to gather information about the justice-related needs of California's Native American citizens;
3. Develop and promote strategies and programs that are responsive to identified justice-related needs;
4. Provide education and technical assistance to state courts and court-connected services on Public Law 280, Indian law issues relating to domestic violence, dating violence, sexual assault and stalking, the Indian Child Welfare Act, and indigenous justice systems;
5. Act as a liaison between the state and tribal courts to build professional relationships and to improve access by tribal courts to education, technical assistance, and other resources;
6. Promote mutually beneficial intergovernmental cooperation among tribal courts, state courts, and appropriate tribal, state, and local agencies; and

7. Develop and disseminate justice-related information and reports needed by tribal and state agencies to work together effectively.

Activities for 2010–2011

Clearinghouse of resources

The AOC will maintain a clearinghouse of resources that includes: (1) AOC educational events for tribal and state courts; (2) services to support tribal justice development, including a listing of tribal justice grant opportunities; (3) a directory of Native American family resources in California; (4) information on California tribal courts and California tribal communities; and (5) resources relating to compliance with the Indian Child Welfare Act (ICWA) in juvenile, family, and probate cases.

Tribal Court / State Court Forum

The California Tribal Court/State Court Forum (forum) is a coalition of the various Tribal Courts of the Native American Tribes situated in California and the Courts of the State of California who come together as equal partners to address issues common to both relating to the recognition and enforcement of court orders that cross jurisdictional lines, the determination of jurisdiction for cases that might appear in either court system, and the sharing of services between jurisdictions. The forum is convened for the express purpose of improving the working relationship between its members and enabling the courts of each to issue and enforce their respective orders to the fullest extent allowed by law. The AOC, through the forum, will promote communication and information sharing among tribal and state court systems, bringing together state and tribal court judges, as well as tribal and state/local agencies, to improve the administration of justice.

Indian Child Welfare Act services

The AOC will work with courts and agencies to comply with ICWA by providing education, technical assistance, and resources statewide. Educational offerings include regional trainings and local collaborative workshops addressing the following topics:

- When ICWA applies
- Exclusive versus concurrent jurisdiction
- **Determination of tribal membership or eligibility for membership**
- Notice to tribes
- Tribal participation and intervention
- Active efforts, including culturally appropriate services
- Cultural case planning
- **Placement preferences**
- Qualified expert witnesses

Every effort is made to tailor educational offerings to meet the needs identified by state court participants and tribal representatives.

Curriculum development

The AOC will develop curricula on the following: (1) civil and criminal jurisdiction in a Public Law 280 state for state court judges; (3) the Indian Child Welfare Act for state court judges, attorneys, child welfare agencies, and probation departments; and (4) accessing and navigating the state court system in cases of domestic violence, dating violence, sexual assault, and stalking for tribal court staff, tribal advocates, and tribal service providers.

Funding

These projects are supported with funds from the Office on Violence Against Women, U.S. Department of Justice that are administered through the California Emergency Management Agency (CalEMA), the U.S. Department of Health and Human Services, Court Improvement Program, and the California Department of Social Services. The CalEMA funding must be expended by January 1, 2011, and is limited to activities that must be awarded to state courts, and project activities must be limited to the issues described in this fact sheet.

Further Information

For additional information about the Tribal Projects Unit's activities, please contact:

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